

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 25, 1999

Mr Brian O'Neill
Chief Operations Officer
Markwest Hydrocarbon, Inc.
155 Inverness Drive West, Suite 200
Englewood, CO. 80112

CPF No. 27512M

Dear Mr. O'Neill,

On November 18 and 19, 1997, a representative of the Southern Region, Office of Pipeline Safety, pursuant to Chapter 601 of 49 United States Code, conducted an onsite pipeline safety inspection of Markwest's pipeline records at Southshore, KY.

As a result of a review of your operating and maintenance manual, the requirements for which are set forth in section 195.402, the following inadequate procedures are noted:

1. **§195.402(c)(14) Taking adequate precautions in excavated trenches to protect personnel from the hazards of unsafe accumulations of vapor or gas, and making available when needed at the excavation, emergency rescue equipment, including a breathing apparatus and, a rescue harness and line.**

Markwest's trenching procedures do not include, nor reference a specific procedure that requires, making available at the excavation emergency rescue equipment, including a breathing apparatus and a rescue harness and line when needed, as required of §195.402(c)(14).

2. **§195.442 Damage prevention program.**

(b) The damage prevention program required by paragraph (a) of this section must, at a minimum:

- (4) If the operator has buried pipelines in the area of excavation activity, provide**

for actual notification of persons who give notice of their intent to excavate of the type of temporary marking to be provided and how to identify the markings.

(5) Provide for temporary marking of buried pipelines in the area of excavation activity before, as far as practical, the activity begins.

(6) Provide as follows for inspection of pipelines that an operator has reason to believe could be damaged by excavation activities:

(i) The inspection must be done as frequently as necessary during and after the activities to verify the integrity of the pipeline; and

(ii) In the case of blasting, any inspection must include leakage surveys.

Section 7.6 Public Education (195.440) of Markwest's Operation, Maintenance, and Emergencies Manual states that Markwest's Continuing Education Program may include certain listed provisions, such as responding to pipeline location requests, temporary marking of the pipelines with identified marking materials, and inspection during and after excavation activities to verify the integrity of the pipeline. These items are mandatory as listed in §195.442, Damage prevention program. Also, Markwest's procedures do not require leakage survey inspections in the case of blasting.

3. §195.234 Welds: Nondestructive testing.

(b) Any nondestructive testing of welds must be performed—

(1) In accordance with a written set of procedures for nondestructive testing;

Nondestructive testing procedures are not addressed in Markwest's operating and maintenance procedures, as required of §195.234(b)(1).

4. §195.403 Training.

(a) Each operator shall establish and conduct a continuing training program to instruct operating and maintenance personnel to:

(1) Carry out the operating and maintenance, and emergency procedures established under §195.402 that relate to their assignments;

(2) Know the characteristics and hazards of the hazardous liquids or carbon dioxide transported, including, in the case of flammable HVL, flammability of mixtures with air, odorless vapors, and water reactions;

(3) Recognize conditions that are likely to cause emergencies, predict the consequences of facility malfunctions or failures and hazardous liquid or carbon dioxide spills, and to take appropriate corrective action;

(4) Take steps necessary to control any accidental release of hazardous liquid or carbon dioxide and to minimize the potential for fire, explosion, toxicity, or environmental damage;

(5) Learn the proper use of firefighting procedures and equipment, fire suits, and breathing apparatus by utilizing, where feasible, a simulated pipeline emergency condition; and,

(6) In the case of maintenance personnel, to safely repair facilities using appropriate special precautions, such as isolation and purging, when highly volatile liquids are involved.

Evidence does not exist of a continuing training program that addresses the requirements to instruct operating and maintenance personnel to :

(1) Carry out the operating and maintenance, and emergency procedures established under §195.402 that relate to their assignments;

(3) Recognize conditions that are likely to cause emergencies, predict the consequences of facility malfunctions or failures and hazardous liquid or carbon dioxide spills, and to take appropriate corrective action;

(6) In the case of maintenance personnel, to safely repair facilities using appropriate special precautions, such as isolation and purging, when highly volatile liquids are involved.

As provided in 49 C.F.R §190.237, this notice serves as your notification that this office considers your procedures/plans inadequate. Under 49 C.F.R §190.237, you have a right to submit written comments or request an informal hearing. You must submit written comments or a request for a hearing within 30 days after receipt of this notice. After reviewing the record, the Associate Administrator for Pipeline Safety will determine whether your plans are adequate. The criteria used in making this determination are outlined in 49 C.F.R §190.237. If you do not wish to contest this notice, please provide your revised procedures within 45 days of receipt of this notice. (See enclosed to this notice.)

Should you have any questions regarding this notice of amendment please make reference to CPF No. 27512M.

Sincerely,

Frederick A. Joyner
Director, Southern Region

Encl

cc: Compliance Registry, OPS Headquarters

Notice of Amendment

You are to amend the procedure manual required by 195.402(c) as follows:

1. Revise your procedures to address the requirement of §195.402(c)(14) to take adequate precautions to make available when needed at an excavation, emergency rescue equipment, including a breathing apparatus and a rescue harness and line.
2. Revise your procedures to require, per §195.442:
 - actual notification of persons who give notice of their intent to excavate of the type of temporary marking to be provided and how to identify the markings, if Markwest has buried pipelines in the area of excavation activity;
 - temporary marking of buried pipelines in the area of excavation activity before, as far as practical, the activity begins.
 - inspection of pipelines that Markwest has reason to believe could be damaged by excavation activities:
 - (i) The inspection must be done as frequently as necessary during and after the activities to verify the integrity of the pipeline; and
 - (ii) In the case of blasting, any inspection must include leakage surveys.
3. Include, or reference specifically, a written set of nondestructive testing procedures in your operating and maintenance procedures, as required of §195.234(b)(1).
4. Include in your procedures a continuing training program to instruct Markwest operating and maintenance personnel to:
 - Carry out the operating and maintenance, and emergency procedures established under §195.402 that relate to their assignments;
 - Recognize conditions that are likely to cause emergencies, predict the consequences of facility malfunctions or failures and hazardous liquid or carbon dioxide spills, and to take appropriate corrective action;
 - Safely repair facilities using appropriate special precautions, such as isolation and purging.

Upon completion of the procedure please send a copy to this office for review and approval within 45 days of the receipt of this letter.